

# **SWIRE PROPERTIES INC. PRIVACY NOTICE**

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This is the Data Privacy Notice (“Privacy Notice”) of Swire Properties Inc. and its affiliate and subsidiary entities (“Swire”). We maintain websites to provide products and services to you. These websites may ask for and collect your personal information to provide our products and services, enhance your experience, and provide you with other relevant information about our offerings. This Privacy Notice applies to activities Swire engages in on its websites and activities that are offline or unrelated to its websites. We are providing this notice to explain our information practices and the choices you can make about the way your information is collected and used.

This Privacy Notice governs our treatment of personal information. We expect all of our employees and those with whom we share personal information to adhere to this Privacy Notice.

Swire is committed to protecting the information that our customers, employees, suppliers, and others have entrusted to us.

This Privacy Notice applies to all personal information collected by Swire, relating to all customers, guests, employees, suppliers, and others who do business with us.

## **1. PERSONAL INFORMATION WE COLLECT AND USE**

### **Personal Information You Provide**

We only collect personal information that you provide to us or that we are authorized to obtain by you or by law. The types of personal information we collect will depend on how you are interacting with our websites or at our locations. For example, we may collect different information from you through online inquiries than if you redeem a gift with purchase. Depending on our interactions, we may have collected the following categories of personal information within the past 12 months:

- When you contact us with questions or RSVP to an event: We may collect your name, email address, phone number, and payment card number and CVV (if applicable);
- When you visit us in person: We may collect your name, email, phone number, age, date of birth, and national origin or country of residence, as well as security camera footage in public areas;
- When you connect to our complimentary Wi-Fi: We may collect your email address;
- When you interact with us through our website: We may collect your IP address, information regarding your interaction with our website, and network location based on your IP address;
- When you interact with us on social media, including for giveaways: We may collect your name, phone number, social media handle/identifier, email address, and any correspondence you send or direct to us;
- When you claim a gift with purchase: We may collect your name and signature;
- When we market to you via email: We may collect information that is not linked to you, in order to help us provide relevant content. This information includes your behavior as it

relates to our emails, including whether emails were opened, deleted without opening, or whether you unsubscribed from our emails;

- When you inquire about purchasing or leasing a residential property: We may collect your name, phone number, current city, email, and information about your search criteria. When you purchase a residential property from us, we may also collect your passport or driver's license number to verify your identity.

## **How We May Use Your Information**

**Your privacy is important to us. We collect and use information we need to do our business, including providing you with the products and experiences you expect from us. When we collect and use your information, we take your privacy and security seriously.**

We will use the information provided by you or on your behalf to provide our products and services, such as our commercial leasing and in-person events. In addition, we may use the information provided by you or on your behalf for the following purposes:

- To operate, evaluate, and improve our business, including improving and personalizing the experience for you and others;
- For marketing campaigns, under certain circumstances, with your permission;
- Using Data Analytics to audit, research, and conduct analysis in order to maintain and improve our offerings and to protect people who use our websites;
- For safety and security, by making sure third parties protect your information, and monitoring the technical functioning and security of our network;
- For legal and compliance, including complying with applicable laws, regulations, and legal obligations; and
- To protect the rights or property of the Company, its employees, and people who use its websites.

**We do not sell any individual's personal information, including children under the age of 18, to anyone nor do we share that personal information with third parties for those parties' commercial use.**

## **2. HOW WE SHARE PERSONAL INFORMATION**

We may share information about you to third parties as indicated below:

*Affiliates, Subsidiaries, and Locations*: We may share your personal information with our different locations, affiliates, and subsidiaries. If we share your information, we will share only the information that is necessary and we will take reasonable steps to make sure that third parties take prudent steps to protect your information.

*Service Providers, Suppliers, Agents, and Business Partners*: Other companies sometimes provide certain services to us or on our behalf (e.g., maintenance, IT support, analysis, development,

security). Unless we tell you differently or as described elsewhere in this Privacy Notice, our service providers are not permitted to use your information except to assist us.

*Compliance with Legal Obligations:* We may need to disclose certain information to auditors, government authorities, law enforcement, regulatory agencies, our legal counsel, third party litigants and their counsel, or other authorized individuals in order to comply with laws that apply to us, or other legal obligations such as contractual requirements.

*Changes in Business Structure/Ownership:* We may disclose or transfer your personal information to a third party in the event of any reorganization, merger, sale, joint venture, assignment, transfer, or other disposition of all or any portion of the Company's business, assets, or ownership interest (including any bankruptcy or similar proceedings).

### **3. COOKIES AND SIMILAR TECHNOLOGIES**

A "cookie" is a small text file that websites send to your computer, mobile device, or other Internet-connected device to identify your browser or to store information or settings in the browser. A "web beacon", also known as an Internet tag, pixel tag, or clear GIF, links web pages to web servers and the cookies and may be used to transmit information collected through cookies back to a web server.

#### **Cookies on Our Sites**

Our sites use cookies, web beacons, java scripts, and similar technologies to collect certain information about your activity when you visit our websites. These technologies collect your Internet Protocol (IP) address, network location, device ID, country of residence, zip code, demographic information, information relating to interests and preferences, information provided by enabled location services on devices, home and work locations when device location sharing is enabled, and information about your interaction with our websites.

We use this data to analyze trends, administer our sites, track users' movements through our websites, and gather demographic information about our guests as a whole. We may receive reports based on these technologies on an aggregated basis.

#### **Behavioral Tracking/Third Party Cookies**

We use third-party analytics services on our websites, including Google Analytics. To learn more about Google Analytics, visit: <https://policies.google.com/technologies/partner-sites>.

Your Internet browser may let you restrict or disable certain types of cookies. Without cookies, you may not be able to use all of the options on our websites.

Some web browsers allow you to turn on Do Not Track ("DNT"), which sends signals to websites you visit, telling those sites that you do not want your online activities to be tracked. Our websites currently are not designed to respond to DNT signals received from web browsers.

We may also use JavaScript to help our websites, especially pictures, function better. You can turn JavaScript on or off in your browser functions, but if you turn it off, you may not be able to use all of the options on our websites.

Sometimes we use technology to collect the information that your browser uses to auto-fill. We use this to tell you if there is a mistake in registration or if the registration cannot be submitted. You can stop this technology by turning it off in your browser, and you will still be able to use all of the options on our websites.

### **Targeted Marketing**

You may opt out of receiving promotional marketing communications from us at any time. If you would like to opt out, please follow the instructions on the bottom of your marketing communications, or email [privacy@swireprops.com](mailto:privacy@swireprops.com). If you opt out, we may still send you non-marketing communications, such as information about your purchase or lease.

### **Data Retention**

Except as listed below, we will retain your personal information for one year following our last commercial interaction with you unless federal or state law requires us to retain it for a longer or shorter period of time. In no event shall we retain your personal information or sensitive personal information for the disclosed purpose for which it was collected for longer than is reasonably necessary for that disclosed purpose.

### **Children's Privacy**

Our website and services are intended for or targeted to children under the age of 13, and we do not knowingly collect personal information from children under the age of 13. If you become aware that your child has provided personal information without your consent, please contact us at [privacy@swireprops.com](mailto:privacy@swireprops.com).

## **4. CALIFORNIA PRIVACY NOTICE**

### **“Legal Categories” of Personal Information**

California law requires us to tell you about the personal information we collect about you in a certain way – specifically, we need to tie it back to “legal categories” of personal information that are listed in the law. To do this, we bundled up the information we gave you above in this Privacy Notice and matched the different types of personal information we collect about you with the legal category. Please note that certain pieces of personal information may fall into more than one of these categories.

To make things easier to understand, we've put this information in a chart that shows you five things:

1. The legal category of personal information,
2. Examples of the types of personal information included in each legal category,

3. The source(s) from which we collect this type of personal information
4. The purpose(s) for why we collect and use your personal information for each legal category; and
5. The business purposes for which we share your personal information and with whom.

We've included these things in the **California Privacy Chart** at the end of this Privacy Notice. At the end of the California Privacy Chart, we have also included a list of Information We Disclose for a Business Purpose.

### **Your Rights and Choices in the U.S. (Including California)**

For all personal information that we collect about you, you may have the following rights or choices that we will accommodate where your requests meet legal and regulatory requirements and do not risk making our other data less secure or changing our other data. You may also designate an authorized agent to make a request on your behalf.

- **Know, Erase:** You may have the right to know what information is being collected about you, and to know whether your personal information is disclosed and to whom. You also may request that we erase your information. If you have questions about your information or want to ask us to erase your information, please contact us using the methods in the "Contact Us" section below.
- **Correct:** If you believe that any of your personal information collected by us is inaccurate, you may have the right to have that information corrected, depending upon the nature of the personal information and the purpose for its processing.
- **Opt Out of Sale, Targeted Advertising, or Profiling:** You may have the right to ask us not to sell your personal information, to ask us not to use your personal information for targeted advertising, and to ask us not to use your personal information for profiling. We do not sell your personal information, and we do not use it for profiling or targeted advertising, but if you wish to make a request using the methods in the "Contact Us" section below, we are happy to confirm that we do not sell your personal information or use it for targeted advertising or profiling.
- **Access:** If you would like to request that we provide a copy of your information to you, please contact us using the methods in the "Contact Us" section below.
- **Portability:** If you would like us to send your personal information to another business or organization, please contact us using the methods in the "Contact Us" section below.
- **Non-Discrimination:** You have the right not to receive discriminatory treatment by Swire because you exercise your privacy rights. If you have any questions, please contact us using the methods in the "Contact Us" section below.

*How to Make a Request:* If you would like to make a request, please contact us using the information in the "Contact Us" section of this Privacy Notice. Please include your name, email, phone number, and the specific type of request you would like to make (a request to know, erase, correct, opt out of sale, portability, or access).

*Responding to Requests:* Your request will be evaluated to determine whether the requested change meets legal regulatory requirements and does not risk making our other data less secure or changing our other data. If we aren't able to honor any part of your request, we will tell you that in our response, as well as the reason(s) we cannot do so.

*Verifying Your Identity:* To protect you and your information, we may ask you to confirm certain information before we honor your request. For example, if you make a request, we will ask you to confirm your email address and phone number. For certain requests, we will use a combination of your email address, phone number, zip code, and/or birth date to verify your identity, so that we can help protect your information. If you designate an authorized agent to make a request on your behalf, we may require you to verify your identity and provide the authorized agent's identity and contact information to us.

## **5. EUROPEAN PRIVACY NOTICE**

This section of our Privacy Notice applies to residents of the European Economic Area (EEA).

### **International Data Transfers**

Swire primarily stores the personal information we collect in the United States. To facilitate Swire's global operations, staff who work for Swire and/or our service providers may transfer and access such personal information from locations around the world. This will involve transferring your personal information outside the EEA.

We will take all steps reasonably necessary to ensure that your personal information is treated securely and in accordance with this Privacy Notice.

Whenever we transfer your personal information out of the EEA, we will ensure one of the following safeguards is implemented:

- We will only transfer your personal information to countries that have been deemed to provide an adequate level of protection for personal information by the European Commission; or
- We may use specific contracts approved by the European Commission which give personal information the same protection it has in Europe; or
- We will ensure there is some other protection in place which has been approved by the European Commission as giving personal information the same protection it has in Europe.

### **Your Privacy Rights**

Under certain circumstances, individuals within the European Economic Area have rights under data protection laws in relation to your personal information as set out below:

- **Request access** to your personal information, to receive a copy of the personal information we hold about you and to check that we are lawfully processing it.

- **Request correction** of the personal information that we hold about you if it is inaccurate or incomplete.
- **Request erasure** of your personal information where there is no good reason for us continuing to process it. You also have the right to ask us to delete or remove your personal information where you have successfully exercised your right to object to processing (see below), where you believe we may have processed your information unlawfully or where we are required to erase your personal information to comply with local law.
- **Object to processing** of your personal information where we are relying on a legitimate interest (or that of a third party) and you feel it impacts your fundamental rights and freedoms. You also have the right to object where we are processing your personal information for direct marketing purposes. In some cases, we may demonstrate that we have compelling legitimate grounds to process your information which override your rights and freedoms.
- **Request restriction of processing** of your personal information if: (a) if you want us to establish the data's accuracy; (b) where our use of the data is unlawful but you do not want us to erase it; (c) where you need us to hold the data even if we no longer require it as you need it to establish, exercise or defend legal claims; or (d) you have objected to our use of your data but we need to verify whether we have overriding legitimate grounds to use it.
- **Request the transfer** of your personal information to you or to a third party in a structured, commonly used, machine-readable format. Note that this right only applies to automated information which you initially provided for us to use or where we used the information to perform a contract with you.
- **Complain to a government regulator** if you are not satisfied with our response, depending on your location.

## Legal Bases For Processing

This section describes some of the legal bases we rely on to process your personal information. We may process your personal information for more than one legal basis depending on the specific purpose(s) for which we are using your personal information, including the following legal bases:

- **Contracts.** Where we need to perform the contract we are about to enter into or have entered into with you, including to provide you products or services.
- **Legitimate Interests.** Where it is necessary for our legitimate interests (or those of a third party) and your interests and fundamental rights do not override those interests. The following are non-exhaustive examples of where Swire relies on legitimate interest to process personal information:
  - Swire has a legitimate interest in processing personal information relating to our existing customers in order to manage our business relationship and provide communications and information that may be of interest, including marketing communications.
  - Swire has a legitimate interest in using cookies as outlined in this Privacy Notice.



- **Legal Obligations.** Where we need to comply with a legal or regulatory obligation.

Generally we do not rely on consent as a legal basis for processing your personal information.

## **6. HOW WE PROTECT YOUR PERSONAL INFORMATION**

We strive to take appropriate security measures to help safeguard your personal information from unauthorized access and disclosure. For example, only authorized employees are allowed to access personal information, and they may only access it for permitted business functions. We also use technology to protect your information, including encryption and firewalls.

While we cannot guarantee that loss, misuse, or alteration will never occur, we use reasonable efforts to prevent it. Please keep in mind that no method of storage or transmission over the Internet is completely secure, so your use of our services and provision of information to us is at your own risk.

Our websites may contain links to other third-party sites on the Internet. The information practices of those websites are not covered by this Privacy Notice. We are not responsible for the privacy policies of other websites.

## **7. CHANGES TO THIS NOTICE**

We reserve the right to modify or change this Privacy Notice at any time. When we make a material change to this Privacy Notice, we will inform you by changing the date on this page noting when the Privacy Notice was last updated.

## **8. CONTACT US**

For questions regarding this Privacy Notice or to submit any of the requests mentioned above relating to your personal information, contact us using any of the following options:

### *Mail*

98 SE 7<sup>th</sup> Street, Suite 500, Miami, Florida 33131

### *Email*

privacy@swireprops.com

### *Telephone*

(305) 371-3877

### California Privacy Chart

Legal Category*	Examples of Information Collected	Source	Purpose for Collection	Sharing with Third Parties for a Business Purpose
A. Identifiers.	Real name, alias, postal address, identifier, Internet Protocol address, email address, or other similar identifiers.	Directly from you Automatically from your devices	Communications On-Site Visits Complimentary Wi-Fi Analytics Social Media Gift with Purchase Marketing Purchase/Lease	Affiliates, Subsidiaries, and Locations Service Providers Compliance with Legal Obligations Changes in Business Structure/Ownership
B. Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)).	Name, signature, address, telephone number, credit card number, debit card number, and CVV.  Some personal information included in this category may overlap with other categories.	Directly from you From third parties	Communications On-Site Visits Complimentary Wi-Fi Analytics Social Media Gift with Purchase Marketing	Affiliates, Subsidiaries, and Locations Service Providers Compliance with Legal Obligations Changes in Business Structure/Ownership
C. Protected classification characteristics under	Age (40 years or older), race, color, ancestry, national origin, citizenship, religion or creed, marital status, medical condition, physical or mental disability, sex	Directly from you	On-Site Visits Marketing	Service Providers Marketing Recipients

California or federal law.	(including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).			
D. Commercial information.	Purchasing or consuming histories or tendencies.	Directly from you Automatically from your devices	Marketing	Affiliates, Subsidiaries, and Locations Service Providers
E. Biometric information	Genetic, physiological, behavioral, and biological characteristics, or activity patterns used to extract a template or other identifier or identifying information, such as, fingerprints, faceprints, and voiceprints.	Not collected	Not collected	Not collected
F. Internet or other similar network activity.	Browsing history, search history, information on a consumer's interaction with a website, application, or advertisement.	Directly from you Automatically from your devices From third parties	Analytics Marketing	Affiliates, Subsidiaries, and Locations Service Providers

G. Geolocation data.	Physical location or movements.	Automatically from your devices	Analytics Marketing	Affiliates, Subsidiaries, and Locations Service Providers
H. Sensory data	On-site security cameras, pictures, video and audio recordings.	Collected from onsite visits	Security	Service Providers
I. Professional or employment-related information	Current or past job history or performance evaluations, criminal history, credit history, I-9 information, and emergency contact information.	Not collected	Not collected	Not collected
J. Non-public education information (per the Family Educational Rights and Privacy Act (20 U.S.C. Section 1232g, 34 C.F.R. Part 99))	Education records directly related to a student maintained by an educational institution or party acting on its behalf, such as grades, transcripts, class lists, student schedules, student identification codes, student financial information, or student disciplinary records.	Not collected	Not collected	Not collected
K. Inferences drawn from other personal information.	Profile reflecting a person's preferences, characteristics, psychological trends, predispositions, behavior, attitudes, intelligence, abilities, and aptitudes.	Automatically from your devices From third parties	Analytics Marketing	Affiliates, Subsidiaries, and Locations Service Providers

L. Sensitive personal information as defined in §1798.140(ae) of the California Privacy Rights Act	Social security number, driver's license number, state ID card, passport number, precise geolocation, racial or ethnic origin, union membership, and health and genetic data	Directly from you	Purchase/Lease	Affiliates, Subsidiaries, and Locations Service Providers Compliance with Legal Obligations
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\*We may also collect your information to comply with laws or regulations or with legal requests that don't fit into one of the categories we've described for you, or to enforce our rights, prevent fraud, and protect our systems, users, and customers.

In the preceding twelve (12) months, we have shared or disclosed the following categories of personal information for a business purpose:

- Category A: Identifiers
- Category B: California Customer Records personal information categories
- Category C: Protected classification characteristics under California or federal law
- Category D: Commercial information
- Category F: Internet or similar network activity
- Category G: Geolocation data
- Category K: Inferences drawn from other personal information
- Category L: Sensitive personal information